

STATEMENT OF BASIS (AI No. 1308)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0000141 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Blue Runner Foods, Inc.
Gonzales Plant
P.O. Box 207
Gonzales, LA 70707

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Kelli Hamilton

DATE PREPARED: November 16, 2009

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permit - LPDES permit effective date: November 1, 2004
LPDES permit expiration date: October 31, 2009
EPA has not retained enforcement authority.

C. Date Application Received: May 4, 2009

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - vegetable cannery**

Blue Runner Foods Inc. is an existing vegetable cannery. Wastewater is generated in the process of cooking and canning dried beans. Wastewater generated includes non-contact cooling water, raw material washwater, and equipment washwater. The facility is not subject to the Canned and Preserved Vegetables Subcategory of the Canned and Preserved Fruits and Vegetables Processing Point Source Category Effluent Limitation Guidelines (ELG), 40 CFR 407.72, because the ELGs cover medium facilities, defined as producing between 2000 and 10,000 tons of raw product per year, and large facilities, defined as producing greater than 10,000 tons of raw product per year. This facility produces approximately 1533 tons of raw product per year, categorizing it as a small facility.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: II
4. SIC code: 2032

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C. LOCATION - 726 South Burnside Ave. in Gonzales, Ascension Parish
Latitude 30°13'36", Longitude 90°55'11"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: non-contact cooling water, raw material washwater, and equipment washwater

Treatment: screening of solids for raw material washwater and equipment washwater. Cooling water is treated with sodium hypochlorite.

Location: at the point of discharge to the ditch on the north side of plant, adjacent to the retorts, downstream of the screens, prior to combining with site storm water (Latitude 30°20'72", Longitude 90°91'96")

Flow: 25,000 gpd

Discharge Route: local drainage, thence into Bayou Francois, thence into New River

Sanitary Wastewater

The sanitary wastewater from this facility is routed to the Town of Gonzales municipal sewage system.

4. RECEIVING WATERS

STREAM - local drainage, thence into Bayou Francois, thence into New River

BASIN AND SEGMENT - Lake Pontchartrain Basin, Segment 040404

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife

5. TMDL STATUS

Subsegment 040404, New River-From headwaters to New River Canal, is listed on LDEQ's Final 2006 303(d) List as impaired for organic enrichment/low DO and pathogen indicators. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Lake Pontchartrain Basin, those suspected causes for impairment which are not directly attributed to the vegetable cannery point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated.

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Sanitary wastewater (a source of pathogens) is discharged to the Town of Gonzales municipal sewage treatment plant. Therefore, pathogen indicators is not among the effluent characteristics of the discharges from this facility. The discharges from this facility should not cause or contribute to the violation of water quality standards for this parameter.

Outfall 001 has the potential to discharge pollutants associated with the organic enrichment/low DO impairment. The organic enrichment/low DO impairment shall be addressed through the BOD5 parameter.

6. CHANGES FROM PREVIOUS PERMIT

None

7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

No records of recent compliance actions were found.

B. DMR Review/Excursions - A DMR review was completed for November 2007 through September 2009. There were no excursions.

8. EXISTING EFFLUENT LIMITS

Outfall 001

BOD	10:15 mg/l
TSS	20:30 mg/l
Oil and Grease	--:15 mg/l
Temperature	Report:Report
pH	6-9 s.u.

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 040404 of the Lake Pontchartrain Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

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10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

13. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 2032 are considered to have storm water discharges associated with industrial activity.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. For renewal permit issuance, the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility. (see Narrative Requirements for the AI)

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Rationale for Blue Runner Foods, Inc.

1. **Outfall 001** non-contact cooling water, raw material washwater, and equipment washwater (estimated flow is 25,000 gpd)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max (mg/l)	<u>Reference</u>
Flow (MGD)	Report:Report	LAC 33:IX.2707.I.1.b
BOD ₅	10:15	BPJ; previous permit
TSS	20:30	BPJ; previous permit
Oil & Grease	--:15	BPJ; previous permit
Temperature (°F)	Report:Report	BPJ; previous permit
pH	6 su - 9 su	BPJ; previous permit

Treatment: screening of solids for raw material washwater and equipment washwater. Cooling water is treated with sodium hypochlorite.

Monitoring Frequency: Flow shall be monitored 1/month as an estimate. BOD₅, TSS, Oil and Grease, and pH shall be monitored 1/month by grab sample. Temperature shall be monitored 1/month by in-situ measurement.

Limits Justification: Flow reporting is consistent with LAC 33:IX.2707.I.1.b. BOD₅, TSS, Oil & Grease, Temperature, and pH limits are based on the previous LPDES permit LA0000141.

Process wastewater is not subject to the Canned and Preserved Vegetables Subcategory of the Canned and Preserved Fruits and Vegetables Processing Point Source Category Effluent Limitation Guidelines (ELG), 40 CFR 407.72, because BPT limits are only applicable to medium and large point sources. Medium point sources are defined as those processing a total raw material production between 2,000 and 10,000 tons/year. The facility processes approximately 1533 tons of dry beans per year, categorizing it as a small facility. Additionally, mass limits for BOD and TSS that would result from application of 40 CFR 407.72 are less stringent than the equivalent mass limits established in the 1997 LPDES Permit concentration-based limits and reported average flow.

* Existing permits for similar outfalls
 BPJ Best Professional Judgement
 su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.